



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,498	08/22/2003	Toshiro Nakazuru	1602.1027	8767
21171	7590	08/11/2006		EXAMINER
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			NGO, CHUONG D	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/645,498	NAKAZURU ET AL.	
	Examiner	Art Unit	
	Chuong D. Ngo	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 August 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2 and 8 is/are rejected.
- 7) Claim(s) 3-7 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 August 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/22/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 6 and 7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative . See MPEP § 608.01(n). Accordingly, the claims 6 and 7 have not been further treated on the merits.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suter et al. (5,831,883) in view of Ireland (5,694,347).

As per claim 1, Suter et al. discloses in figure 1 a Fourier transform apparatus including transform means of a preceding stage (120), first data supply means (110), transform means of a succeeding stage (150), second data supply means (141), and twiddle factor multiplication means substantially as claimed. It is noted that Suter does not specifically discloses the transform means having radix 2 pipeline FFT circuits and the twiddle factor multiplication means including 2a complex multiplication circuits as claimed. However, Ireland in figure 5 a M-point radix 2-pipeline FFT circuit as claimed. It would have been obvious to a person of ordinary skill in the art to provide the transform means of Suter et al. with radix 2 pipeline FFT circuits as taught by Ireland to implement M-point FFTs in order to reduces data storage

requirements (see Ireland, col. 2, lines 48-52). In addition, since the radix 2 pipeline FFT circuits as taught by Ireland provides two output simultaneously, it would have been obvious to a person of ordinary skill in the art to further provide the twiddle factor multiplication means of Suter et al with two complex multiplication circuit for each M-point FFT circuit in order to reduce the processing time.

As per claim 2, Ireland discloses in figure 8 memory with two banks structure (22,24) as claimed.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suter et al. (5,831,883) and Ireland (5,694,347) as applied to claim 1 above, and further in view of applicant admission of prior art discloses on pages 44, line 27 to 46, line 5, regarding Japanese Patent No. 2848134.

It is noted that the combination of Suter et al. and Ireland does not disclose the Fourier transform apparatus includes bypass means. However, applicant's admitted prior art (Japanese Patent No. 2848134) disclose a bypass means to improve the flexibility of transform apparatus (see the bridging paragraph of pages 45 and 46). It would have been obvious to a person of ordinary skill in the art to provide the Fourier transform apparatus of the combined Suter et al. and Ireland with bypass means as disclosed by applicant's admitted prior art in order to increase the flexibility of transform apparatus.

Art Unit: 2193

5. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong D. Ngo whose telephone number is (571) 272-3731. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/645,498
Art Unit: 2193

Page 5



Chuong D Ngo
Primary Examiner
Art Unit 2193

08/04/2006